

## REMARKS/ARGUMENTS

### *Status of the Claims*

Claims 1, 29-30, 33, and 36 are currently amended.

Claims 31 and 32 have been canceled.

Thus, claims 1, 3-5, 9-12, 19, and 21-30, and 33-38 are currently pending in this application.

The Applicants hereby request further examination and reconsideration of the presently claimed application.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 1-5, 7-12, and 19-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wong, et al., “Supramolecular Templating of Thermally Stable Crystalline Mesoporous Metal Oxides Using Nanoparticulate Precursors,” Nano Letters, vol. 1, no. 11, pp. 637-642, 2001 (*Wong*). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong* as applied to claim 1, and further in view of U.S. Patent 3,907,921 (*Winter*). Claims 3, 33, and 35 stand rejected under 35 U.S.C. § 103(a) as being *Wong* as applied to claim 1 and further in view of Ying et al, U.S. Patent No. 5,958,367 (*Ying*). Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong*, and further in view of Hwang, et al., “Nanoparticle routes to mesoporous titania thin films,” Chem. Commun., 2001, pp. 1738-1739 (*Hwang*). Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong* and *Hwang*, as applied to claim 30, and further in view of *Ying*. Claim 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong* and *Ying*, as applied to claim 33, and further in view of *Hwang*. Claims 12 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong* and *Ying*, as applied to claim 1, and further in view of Brinker, et al., “Evaporation-Induced Self-Assembly:

Nanostructures Made Easy,” *Advanced Materials*, vol. 11, no. 7, pp. 579-585, 1999 (*Brinker*). Claims 34-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wong* in view of *Tai*, et al, U.S. Patent No. 6,569,358 (*Tai*). Applicants note the Office Action refers to claims 34-36, however, the subsequent comments address claims 36-38. *See* Office Action at 10.

***Allowable Subject Matter***

Applicants thank the Examiner for allowing claims 29 and 32 if rewritten in independent form to include the limitations of the base claim and any intervening claims. Applicants have amended claims 30 and 33 to include the limitations of now canceled claim 32.

Applicants note the Office Action identifies the limitation that the composition is formed without precipitation as allowable subject matter that differentiates the pending claims from the *Wong* reference. *See* Office Action at 12. Claim 29 has been amended to remove this limitation which was incorporated into claims 1 and 36. Applicants respectfully submit claims 1, 30, 33, 36 and all claims depending therefrom are in condition for allowance.

### CONCLUSION

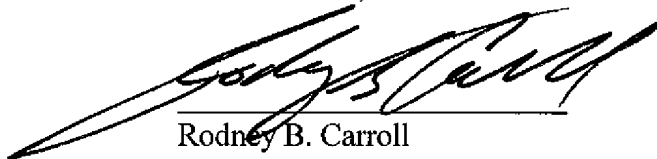
Consideration of the foregoing and reconsideration of the application and withdrawal of the rejections are respectfully requested by the Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Final Office Action dated March 19, 2010 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to contact the undersigned at the telephone number given below.

Date: \_\_\_\_\_

5-18-10

Respectfully submitted,  
CONLEY ROSE, P.C.



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